

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

ELIZABETH STEFFENBERG,

Plaintiff,

v.

T. GENE GILMAN, STEVEN GILMAN, THE GILMAN INSURANCE AGENCY, INC., DAVID M. SCOLL, ARBOR SECURITIES, LTD., ALLIANCE INVESTMENT MANAGEMENT, COMMONWEALTH FINANCIAL HOLDINGS INC., FINANCIAL LINKS, INC., T. GILMAN & CO., LTD., FIRST ALLIED SECURITIES, INC., PENSON FINANCIAL SERVICES, INC., AVIVA USA CORPORATION, TRADETEK, LTD. and TRADETEK, LLC,

Defendants.

CIVIL ACTION NO. 04-40113-FDS

MOTION OF THE DEFENDANT, DAVID SCOLL, TO COMPEL THE PLAINTIFF TO ANSWER SCOLL'S FIRST SET OF INTERROGATORIES

The Defendant, David Scoll (hereinafter "Scoll"), moves pursuant to Rule 37.1(A) of the Local Rules for the United States District Court, District of Massachusetts, and Rule 37(a) of the Federal Rules of Civil Procedure for an order compelling the Plaintiff, Elizabeth Steffenberg (hereinafter the "Plaintiff"), to answer Scoll's first set of interrogatories within ten (10) days. See Def. David M. Scoll's First Set of Interrogatories to the Pl. dated Sept. 13, 2004 (hereinafter "Scoll's Interrogatories").

In support of this motion, Scoll states that the Plaintiff has failed to answer fully and completely Scoll's Interrogatories # 23 and 26 and that the answers provided are evasive and incomplete. Scoll herewith submits a memorandum of law in support of this Motion.

WHEREFORE, Scoll moves for an order compelling the Plaintiff to answer fully and completely Interrogatories # 23 and 26 within ten (10) days.

Discovery Conference Certification: Local Rule 37.1(B)

The parties conducted a discovery conference by telephone on March 9, 2005 for approximately thirty (30) minutes and on March 14, 2005 for approximately fifteen (15) minutes, but were unable to resolve their differences concerning this matter.

Respectfully submitted,
DAVID M. SCOLL
By his Attorneys,

/s/ Sara Discepolo
George C. Rockas, BBO # 544009
Sara Discepolo, BBO # 628721
WILSON, ELSER, MOSKOWITZ, EDELMAN &
DICKER LLP
155 Federal Street
Boston, MA 02110
(617) 422-5300

Dated: March 14, 2005

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

ELIZABETH STEFFENBERG,

Plaintiff,

v.

T. GENE GILMAN, STEVEN GILMAN, THE GILMAN INSURANCE AGENCY, INC., DAVID M. SCOLL, ARBOR SECURITIES, LTD., ALLIANCE INVESTMENT MANAGEMENT, COMMONWEALTH FINANCIAL HOLDINGS INC., FINANCIAL LINKS, INC., T. GILMAN & CO., LTD., FIRST ALLIED SECURITIES, INC., PENSON FINANCIAL SERVICES, INC., AVIVA USA CORPORATION, TRADETEK, LTD. and TRADETEK, LLC,

Defendants.

CIVIL ACTION NO. 04-40113-FDS

CERTIFICATE OF SERVICE

I, Sara Discepolo, hereby certify that on March 14, 2005, I electronically filed the foregoing *Motion of the Defendant, David Scoll, to Compel the Plaintiff to Answer Scoll's First Set of Interrogatories* and on March 15, 2005 caused to be served a courtesy copy of the same to all parties/counsel of record by mailing the same via first class mail, postage prepaid, to the following parties:

Christine S. Collins, Esq.
Bowditch & Dewey
311 Main Street
PO Box 15156
Worcester, MA 01615-0156

Kristin M. Knuuttila
Prince, Lobel, Glovsky & Tye LLP
585 Commercial Street
Boston, MA 02109

/s/ Sara Discepolo
Sara Discepolo